

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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NADEZDA STEELE-WARRICK,  
individually and on behalf of all others  
similarly situated,

Plaintiff

vs.

MICROGENICS CORPORATION AND  
THERMO FISHER SCIENTIFIC INC.,

Defendants

Hon. Vera M. Scanlon

CASE 1:19-cv-06558-VMS

**DEFENDANT MICROGENICS  
CORPORATION'S NOTICE OF  
MOTION TO DISMISS PLAINTIFF'S  
FIRST AMENDED CLASS ACTION  
COMPLAINT AND TO STRIKE CLASS  
ALLEGATIONS**

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**PLEASE TAKE NOTICE** that Defendant Microgenics Corporation shall move before the Honorable Vera M. Scanlon, United States Magistrate Judge, on a date and at a time to be set by the Court, for an Order pursuant to Rules 12(b)(6) and 12(f) of the Federal Rules of Civil Procedure dismissing Plaintiff's First Amended Class Action Complaint for failure to state a claim upon which relief can be granted and striking the class allegations.

**PLEASE TAKE FURTHER NOTICE** that Microgenics Corporation shall rely upon the accompanying Memorandum of Law in support of its Motion, and upon the record and pleadings filed herein.

Respectfully submitted,

Dated: April 24, 2020.

s/Christopher R. Carton  
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